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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th day of June, 1998

Before:

THE HON'BLE MR. JUSTICE R.V. RAVEENDRAN

Writ Petition No. 29424 of 1993

M/s. M.S. Advertisers,
No.555, 4th Cross,
Mahalakshmi Layout,
Bangalore-86,
represented by its
partner Sri Mohammed,
Mashood Iqbal son of
Dr. C. Abdul Khuddus

..Petitioner

(By Sri Ravimalimath, Advocate)

-Vs-

1. The State of Karnataka,
by its Secretary,
Department of Municipal
Administration,
Vidhana Soudha,
Bangalore;
2. The Commissioner,
Bangalore City Corporation,
Bangalore;
3. The Asst. Revenue Officer,
Department of Advertisement,
Bangalore City Corporation,
Bangalore

..Respondents

(By Sri K.N.Puttegowda, Advocate)

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Writ Petition is filed praying to direct respondents 2 and 3 to fix the advertisement tax on the hoardings in question and collect the same.

This writ petition coming on for hearing this day, the Court made the following:-

O R D E R

The petitioner is a licensed advertising agency. It sought permission of the Bangalore City Corporation to erect hoardings on Airport Road of B.D.A. land. The said permission has not been granted. The petitioner has, therefore, filed this petition seeking a direction Respondents-2 and 3 to fix the advertisement tax on the hoardings and collect the same.

2. This Court has granted an interim direction to the respondents not to demolish or damage the two hoardings erected by the petitioner on the B.D.A. land situated to the South of the Airport Road and to the East of the Storm Water Drain measuring 30' x 15' each.

3. The learned Counsel for the Corporation stated that the petitioner's request for permission was not considered as the hoardings were erected on B.D.A. land, but the petitioner had not obtained the consent from the B.D.A. for erection or continuance of such hoardings. He stated that if such consent is received and necessary application is made in accordance with the provisions of the

RMR

Karnataka Municipal Corporations Act, 1976, the same will be considered by the Corporation.

The learned Counsel for the Corporation also stated that in regard to the period of display in pursuance of the interim order of this Court, the Corporation may be permitted to recover the advertisement charges and other dues.

4. Recording the said statements made by the learned Counsel for the Corporation, the petition is disposed of.

Sd/-
JUDGE



Bnr/-